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SIPDIS

SENSITIVE

DEPARTMENT FOR WHA/CAR (MCISAAC), USOAS

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TAGS: [DR](#) [PGOV](#) [PREL](#)

SUBJECT: DOMINICAN ELECTORAL BOARD MOVING AHEAD

REF: A. (A) SANTO DOMINGO 4915

[1](#)B. (B) SANTO DOMINGO 5003 (NOTAL)

[1](#)1. (SBU) Summary: Central Electoral Board ("JCE") President Luis Arias and seven of the eight other electoral judges assured the Ambassador on September 9 that -- contrary to claims by opposition critics -- preparations for the May 16, 2004, presidential election in the Dominican Republic were on schedule and that registration problems would be resolved. The Ambassador welcomed JCE officials' expressed commitment to free, fair, and clean elections. He also noted a need for the JCE to strengthen its credibility and dispel suspicions of political bias that might favor President Mejia's bid for reelection. Arias told him the GODR welcomed and expected international observers, as in past elections. End summary.

[1](#)2. (SBU) On September 9 the Ambassador, accompanied by DCM and emboffs, met with President of the Dominican Republic's Central Electoral Board (Junta Central Electoral - JCE) Luis Arias, the three judges of the Administrative Chamber which will organize and conduct the election, and four of the five judges of the Dispute Resolution Chamber (Camara Contenciosa) responsible for adjudicating any questions about the vote count or allegations of irregularities. The Ambassador emphasized the importance of the JCE's work to ensure clean, fair, and transparent elections and welcomed JCE members' commitment to the same. He noted concern by various of our political party contacts (refuels) that the JCE is stacked in favor of the ruling PRD's PPH faction, which backs President Mejia's pre-candidacy for reelection. Arias noted that he and another judge had served during the previous presidential election in 2000, which observers concluded had been free and fair. According to Arias, what matters is "how the judges behave, not their political party affiliation." He, Administrative Chamber head Nelson Gomez Arias, and Dispute Resolution Chamber head Salvador Ramos all expressed their commitment to transparency and correct procedure in the election.

[1](#)3. (SBU) The Ambassador asked whether, as in the past, the JCE would accredit international observers to this election. Arias, referring to his experience as an alternate JCE judge beginning in 1996, replied that it was a "tradition" for the Dominican Republic to accept observers. Possible sources were the OAS, the UN, and prominent NGOs such as CAPEL, IFES, NDI, and/or the Carter Center. They would arrive anywhere from three days to one month before the election. However, it was up to the national government holding the election to invite the observers, he emphasized. The Ambassador stressed the USG's continuing support for the democratic process. Arias said the Embassy "has much to offer" to the JCE and that he would approve of USG participation as part of the international observer presence. In reply to a question, Arias acknowledged receipt of a UNDP proposal for technical assistance to the JCE, but indicated the board had not yet decided whether to accept the assistance. (Note: He gave no reason for the delay. End note.)

[1](#)4. (SBU) Legal changes last year reduced the maximum number of voters per polling station to 400, and consequently some 900,000 voters must go to different stations. The administrative judges explained that 300,000 of the cases were already resolved and the voters would receive letters informing them of the change. Another 300,000 would get their letters by December and the remainder would go out well in advance of election day. (Note: The JCE expects to increase the number of polling places to 12,500 for the upcoming election, to accommodate the rise in number of voters. End note.)

[1](#)5. (SBU) Another issue, regularizing the credentials of 21,000 voters who have duplicate identification cards (cedulas), was also being addressed, he said. A pilot project would enable some 20,000 - 30,000 Dominicans living abroad to vote through consulates, but the judges acknowledged this would benefit relatively few of the more than one million Dominicans living in the US. The judges claimed that the composition of 107 of the 134 municipal election boards had been agreed to by local party representatives, but said JCE inspectors had to confirm this. Disputes over appointments to 22 local boards remained unresolved.

16. (SBU) Comment: Arias assumed the JCE presidency in July, replacing Ramon Morel Cerda who had been accused of nepotism, resisting reforms, and quarreling with the other judges. Opposition contacts have told us that six of the nine current judges, including Arias, sympathize with the PRD. Such partisan imbalance is nothing new, and may or may not translate into partisan decisions. In any event, it undermines public confidence in the board's impartiality. Amid the current tension created by Mejia's desire to be reelected -- a controversial topic for the many Dominicans who recall all too well the Balaguer and Trujillo eras -- the JCE will need to do a better job of establishing its transparency and credibility. The electoral board will also have to perform its task with a majority of inexperienced judges and a reformed structure that is so far untested. Among its other duties, the JCE will decide which entities may send observers, and how many, to the polls.  
HERTELL